

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte ROGER BREDOW, JON DUNFEE,  
JAMES E. SAPP, and MATTHEW B. TREVATHAN

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Application No. 09/845,542

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on September 22, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

The examiner's answer mailed on July 8, 2005 is not in compliance with the requirements of 37 CFR § 41.37. The following headings need to be corrected in order to be consistent with the appeal brief filed April 21, 2005:

*Summary of the Claimed Subject Matter* - replacing the  
*Summary of the Invention* section in paragraph (5).

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*Evidence Relied Upon* - replacing the Prior Art of Record section in paragraph (9).

*Grounds of rejections to be Reviewed* - replacing the Grouping of Claims and Grounds of Rejection sections in paragraphs (7) and (10).

*Acknowledgment of the Related Proceedings and Evidence appendices, if applicable.*

A revised examiner's answer that is in compliance with 37 CFR § 41.37 is required.

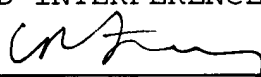
Accordingly, it is

ORDERED that this application be returned to the examiner to: 1) vacate the examiner's answer and submit a revised examiner's answer in response to the appeal brief and in accordance with the new rules effective September 13, 2004; and 2) for such further action as may be appropriate.

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It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
Craig R. Feinberg  
Program and Resource Administrator  
(571)272-9797

cc: Agilent Technologies, Inc.  
Legal Department, DL429  
Intellectual Property Administration  
P.O. Box 7599  
Loveland, CO 80537-0599

CRF/tdl